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[Attorney Docket No. 22762XY4-S
Serial No.: 09/134,472]

[disorder], and nerve-related symptoms and complications of physical injury affecting vision [eye injury].

INTERVIEW SUMMARY

Applicants take this opportunity to thank Examiners Owens and Geist for their courtesy and time in conducting an interview with Applicant Douglas T. Ross and Applicants' counsel on November 28, 2000. Applicants further thank Examiner Owens for his courtesy and time in conducting telephone communications with Applicants' counsel on January 18, 2001 and February 20, 2001. Applicants have amended the claims in accordance with discussions held during the interview and telephone communications. It was agreed that the amendments would overcome the §112, first and second paragraph rejections, and place the application in condition for allowance.

REMARKS

Claim 1 has been amended to describe the inventive subject matter more clearly and to place the application in condition for allowance. Upon entry of the above amendments, claims 1-4, 6-11, and 23-38 are pending in the application.

The amendments do not introduce new matter within the meaning of 35 U.S.C. §132. Basis for the claim amendments is found on page 34, line 1 to page 42, line 2; page 68, line 1 to page 101, line

13; in claim 1 as originally filed; and elsewhere throughout the specification and claims. Accordingly, entry of the amendments is respectfully requested.

1. Rejection of Claims 1-11 and 23
under 35 U.S.C. §112, first paragraph

The Office Action rejects claims 1-11 and 23 under 35 U.S.C. §112, first paragraph, because the specification does not reasonably provide enablement for the claimed range of visual disorders in sufficiently diverse *in vivo* systems. The Examiner concludes that the specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to practice the invention commensurate in scope with these claims without undue experimentation.

As was agreed during the interview on November 28, 2000 and telephone communications on January 18, 2001 and February 20, 2001, the following amendments to claim 1, along with Applicants' amendments made in the Response and Amendment filed December 5, 2000, overcome this rejection: adding the term "nerve-related"; removing "improving vision" and "enhancing memory performance"; and making non-substantive modifications to describe the inventive subject matter more clearly, by (1) further describing the vision disorders to be treated, and (2) clearly specifying that the terms "nerve-related symptoms and complications" modify "eye disease",

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"eye disorders", and "physical injury affecting vision" in the last clause of claim 1.

Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

CONCLUSION

Based upon the foregoing amendments and remarks, the presently claimed subject matter is definite, enabled, and patentably distinguishable over the art of record. The Examiner is therefore respectfully requested to reconsider and withdraw the rejections of claims 1-11 and 23, and allow pending claims 1-4, 6-11, and 23-38 presented herein for reconsideration. Favorable action with an early allowance of the pending claims is earnestly solicited.

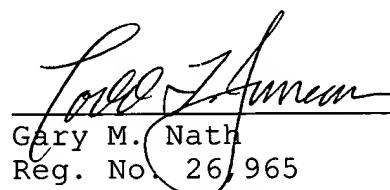
The Examiner is invited to telephone the undersigned attorney if he has any questions or comments.

Respectfully submitted,

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Dated: February 21, 2001

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